



Mark W. Good
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June 26, 2007

Magistrate Judge Bernard Zimmerman
United States District Court
Northern District of California, San Francisco
Courtroom G
450 Golden Gate Avenue
San Francisco, California 94102

Re: Hubb Systems, LLC v. microDATA GIS, Inc.
U.S District Court Case No. C07-02677 BZ

Dear Judge Zimmerman:

Our client, defendant microDATA GIS, Inc. ("microDATA"), respectfully requests that the Motion for a Preliminary Injunction recently filed by plaintiff Hubb Systems, LLC ("Hubb") be continued to a date not less than thirty (30) days subsequent to the Court's ruling on the pending Motion to Dismiss which is scheduled for hearing on August 1, 2007. microDATA makes this request in the interests of promoting judicial economy and avoiding unnecessary expense, as a decision on microDATA's prior-filed Motion to Dismiss could make Hubb's later-filed motion moot.

As the Court may be aware from microDATA's Motion to Dismiss in this action, microDATA filed a lawsuit in the District of Vermont against Hubb on May 10, 2007, and provided Hubb with notice of that lawsuit on the same day. Eleven (11) days later, on May 21, 2007, Hubb filed the instant lawsuit against microDATA in this Court concerning the exact same parties and issues. Hubb did not file a Notice of Pendency of Other Action regarding the prior-filed Vermont action, as required by Civil Local Rule 3-13.

On June 11, 2007, microDATA filed a Motion to Dismiss in this Court based on the first-to-file rule and on lack of personal jurisdiction over microDATA, with a hearing on its motion scheduled for August 1, 2007. On June 14, 2007, microDATA also filed in the District of Vermont, a Motion to Enjoin Hubb from prosecuting the action in this Court.

On June 22, 2007, without responding in any way to the prior-filed and pending microDATA motions in California or Vermont, and still without disclosing the earlier-filed Vermont action to this Court, plaintiff Hubb filed the instant Motion for a Preliminary Injunction against microDATA, scheduled for hearing on the same day as microDATA's previously-filed Motion to Dismiss.

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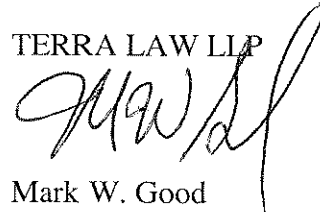
Clearly, by virtue of the facts that (1) Hubb was on notice of microDATA's existence as early as January 3, 2007,^a (2) Hubb did not seek to obtain a preliminary injunction against microDATA until more than five months later, and (3) once Hubb finally did file its Motion for a Preliminary Injunction in this action it did not seek to schedule a hearing for such preliminary injunction until August 1, 2007, Hubb cannot reasonably argue that there is danger of any immediate and irreparable injury that it would be subject to, caused by a short delay in the hearing date as requested by microDATA.

Postponing the briefing schedule and hearing date for Hubb's Motion for a Preliminary Injunction will promote judicial economy as neither the Court nor the parties will be required to prepare for a motion that may be rendered entirely moot if microDATA's pending Motion to Dismiss in this Court (or microDATA's Motion to Enjoin pending in the District of Vermont) is granted.

As such, microDATA respectfully requests that the Court stay the briefing schedule and hearing date on Hubb's Motion for a Preliminary Injunction, pending a resolution on microDATA's prior-filed Motion to Dismiss in the instant action (scheduled for hearing on August 1, 2007).

Very truly yours,

TERRA LAW LLP



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cc: William E. Adams, Esq.
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^a As evidenced by the original January 3, 2007 "cease and desist" letter sent by Hubb to microDATA.